

### **REMARKS**

Claims 1, 3, 5-19, 31-36 are now pending in the application. Claims 9, 18, and 19 were previously withdrawn. Claims 1, 5-7, 11-17, 31, and 32 are herein amended. Claims 33-36 are herein added.

### **SPECIFICATION**

The first full paragraphs of pages 17 and 18 of the specification have been amended to correct part numbers for the first cam slot from [110] to 114, and for the first cam plate from [114] to 110. These part number changes reflect the part numbering of Figure 6 as filed. The first cam plate 110 is also equivalently referred to in the specification as the "seat back cam". The Examiner is respectfully requested to enter the amendments to the above noted paragraphs of pages 17 and 18.

### **REJECTION UNDER 35 U.S.C. § 112**

Claims 6, 11, 12, and 14-17 stand rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicant regards as the invention. This rejection is respectfully traversed.

Claim 6 has been amended as suggested by the Examiner to add "of the base" following "side panel".

Claim 11 has been amended to recite in part "when the seat portion is moved by the actuator means towards an inclined position" to identify structure for pivoting the

back portion. Support for this limitation is found in Claim 1.

Claim 12 has been amended similar to Claim 11.

Claim 14 has been amended to be dependent on claim 13. Accordingly, there is proper antecedent basis in claim 13 for the “first and second actuators” recited in claim 14.

Claim 15 has been amended to be dependent on claim 13. Accordingly, there is proper antecedent basis in claim 13 for the “first actuator” and the “second actuator” recited in claim 15.

Claim 16 has been amended to recite that the base portion further includes a front panel, which is pivotally movable with respect to the side and rear panels of the base portion for movement from a generally vertical position to a generally horizontal position to provide a retractable foot rest. Support for amended Claim 16 is provided, at least, in the first full paragraph beginning on page 17 of the specification. It is respectfully submitted that claim 16, as amended, sets forth sufficient structure and the interconnection thereof to provide such movement of the front panel.

Claim 17 has been amended to provide antecedent basis for “a pivot axis”.

Claims 6, 11, 12, and 14-17 therefore particularly point out and distinctly claim the subject matter which Applicant regards as the invention. The Examiner is respectfully requested to withdraw the 35 U.S.C. § 112, second paragraph rejection of Claims 6, 11, 12, and 14-17.

## **REJECTION UNDER 35 U.S.C. § 102**

Claims 1, 2, 4-8, 10-12, 16, 31 and 32 stand rejected under 35 U.S.C. § 102(b) as being anticipated by Blount (U.S. Pat. No. 5,806,920). This rejection is respectfully traversed.

It is initially noted Claim 1 has been amended to recite in part:

*"[a] base portion having a pair of upstanding rigid side panels and a rigid rear panel extending between the side panels...wherein the seat portion has a pair of downwardly depending rigid side panels and a rigid rear panel which nest with the side and rear panels of the base portion to enclose a region containing the actuator means..."*

Support for this amendment is found, at least, at page 11 of the specification, line 15 through page 12, line 24 and in FIGS. 3 and 4.

Unlike claim 1, Blount fails to disclose "[a] base portion having a pair of upstanding rigid side panels and a rigid rear panel extending between the side panels...wherein the seat portion has a pair of downwardly depending rigid side panels and a rigid rear panel which nest with the side and rear panels of the base portion to enclose a region containing the actuator means..." Instead, Blount merely discloses a chair portion 12, which is supported on a sub-frame assembly 36, and which is able to move with respect to a base portion 34. Blount is silent as to a seat portion having a pair of downwardly depending rigid side panels and a rigid rear panel which nest with side and rear panels of a base portion to enclose a region containing the actuator means.

Accordingly, it is respectfully submitted that claim 1 is allowable over the Blount reference. Furthermore, because claims 5-8, 10-12, 16, 31 and 32 are each ultimately dependent on claim 1, it is respectfully submitted that claims 5-8, 10-12, 16, 31 and 32 are allowable over the Blount reference. Additionally, claims 2 and 4 have been cancelled herein. Accordingly, reconsideration and withdrawal of the rejection is respectfully requested.

Claims 20 and 21 stand rejected under 35 U.S.C. § 102(b) as being anticipated by Knabusch et al. (U.S. Pat. No. 3,588,170). Claims 20 and 21 have been cancelled. Accordingly, withdrawal of the rejection is respectfully requested.

#### **REJECTION UNDER 35 U.S.C. § 103**

Claim 3 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Blount (U.S. Pat. No. 5,806,920) in view of Hale (U.S. Pat. No. 6,871,910). This rejection is respectfully traversed.

Claim 3 is dependent on claim 1, which recites “[a] base portion having a pair of upstanding rigid side panels and a rigid rear panel extending between the side panels...wherein the seat portion has a pair of downwardly depending rigid side panels and a rigid rear panel which nest with the side and rear panels of the base portion to enclose a region containing the actuator means...” The Blount reference is silent as to this structure as discussed above. Likewise, the Hale reference merely discloses a chair 1 with side walls 7, 8 and arm rests 5, 6 that are slidably moveable inside the side walls 7, 8. The chair 1 also includes a single, collapsible tambour 10 that extends between the side walls 7, 8 and arm rests 5, 6. Thus, the Hale reference fails to

disclose or suggest a base portion with a rigid rear panel in addition to a seat portion with a rigid rear panel that nects with the rigid rear panel of the base portion. Accordingly, it is respectfully submitted that claim 3 is allowable over the Blount and Hale references.

Claims 13-15, 17, 20 and 21 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Blount (U.S. Pat. No. 5,806,920) in view of Bergenwall (U.S. Pat. No. 4,637,652) or Hayashi et al. (U.S. Pat. No. 6,557,940). This rejection is respectfully traversed.

Claims 13-15, and 17 are each ultimately dependent on claim 1. Accordingly, for the reasons stated above with respect to claim 1, it is respectfully submitted that claims 13-15 and 17 are allowable over the cited references. Furthermore, claims 20 and 21 have been cancelled herein. Thus, withdrawal and reconsideration of the rejection is respectfully requested.

#### **EDITORIAL CLAIM AMENDMENTS**

Claims 1, 6, 11, 12, 13 (2 places), 14, 15 (2 places), 17, (2 places) 31, and 32 have been amended to delete the term "said" following the term "the" to eliminate the redundancy and for consistency throughout the claims. The Examiner is respectfully requested to enter the editorial changes to these Claims.

Claim 5 has also been amended to recite a front of the base portion. The Examiner is respectfully requested to enter the editorial change to Claim 5.

Claim 17 has also been amended to recite the base portion and a pivot axis. The Examiner is respectfully requested to enter the editorial changes to Claim 17.

#### **NEW CLAIMS**

Claims 33-36 have been added herein, and it is submitted that each new claim recites over the art cited by the Examiner. The Examiner is respectfully requested to enter new Claims 33-36.

#### **CONCLUSION**

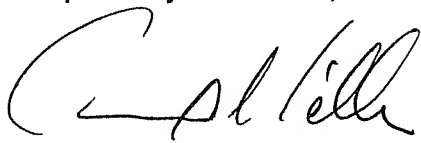
It is believed that all of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicant therefore respectfully requests that the Examiner reconsider and withdraw all presently outstanding rejections. It is believed that a full and complete response has been made to the outstanding Office Action and the present application is in condition for allowance. Thus, prompt and favorable consideration of this amendment is respectfully requested. If the Examiner believes that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at (248) 641-1600.

Respectfully submitted,

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